

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN ALLEN BELOT,

Defendant.

4:20CR3102

ORDER

The government has moved to exclude time under the Speedy Trial Act. In this case, the Second Superseding Indictment alleges additional counts based on actions which allegedly occurred on July 16, 2021. These counts were not (and could not have been) included in either the original or Superseding indictment. The additional crimes are not based on the same evidence supporting the previously alleged crimes. The parties will need to prepare for trial on these new counts.

. Accordingly,

IT IS ORDERED:

1) As stated herein and on the record, (Filing No. 58), the government's motion, (Filing No. 60), is granted.

2) As to all counts within the Second Superseding Indictment, the Speedy Trial Clock will begin anew as of July 27, 2021, the date of the initial appearance on the Second Superseding Indictment. The ends of justice served by granting the government's motion outweigh the interests of the public and the defendant in a speedy trial, because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

July 28, 2021.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge